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A VITAL PARTNER
in industrial relations:


LABOUR CANADA

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A VITAL PARTNER
in industrial relations:
LABOUR CANADA

**Labour Canada is the Canadian government
department responsible for labour affairs.
It concerns itself with the well-being of
all members of the country's labour force**

**Published by Authority of the Honourable John Munro,
Minister of Labour, Government of Canada**

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A Brief History

At the time of Confederation in 1867, Canada was still very much a frontier society, essentially an agrarian and commercial nation in which most workers were still tied to the land. But industrialization was beginning, and trade unions were in a fledgling stage.

Introduced mainly by British immigrants, and reinforced by the resources and organizational abilities of American unions that came later, unionism grew slowly and sporadically. The “international” unions, those with headquarters in the United States, exerted a powerful influence on the

expansion of the labour movement in Canada. By 1872, organized labour had grown strong enough to bring pressure to bear successfully on the federal government to repeal the law that had made unions liable to a charge of conspiracy in restraint of trade. The removal of this barrier to union organization, coupled with a favorable economic climate, stimulated further expansion.

Attempts to unite all the country's unions in one central organization were partly successful in 1886, when the Trades and Labour Congress of Canada was formed. It

was the forerunner of today's Canadian Labour Congress, whose affiliated unions represent approximately 71 per cent of the organized labour force.

At the turn of the century, the unions' demands for labour standards became so insistent that regulations were issued to eliminate the worst industrial evils of the time, child labour and hazardous working conditions; legislation was enacted to resolve industrial disputes; and the federal Department of Labour was founded, one of the first such ministries in the western hemisphere.



Jurisdiction

The enactment of a law, however, seldom resolves problems in an area as complex as industrial relations, especially in Canada, where the constitution vests considerable autonomy in the provinces. For example, only some 530,000 workers out of a labour force of roughly 10,000,000 come under federal jurisdiction (see box). The remainder, with the exception of the federal Public Service (which is governed by the Public Service Staff Relations Act), come under provincial jurisdiction.

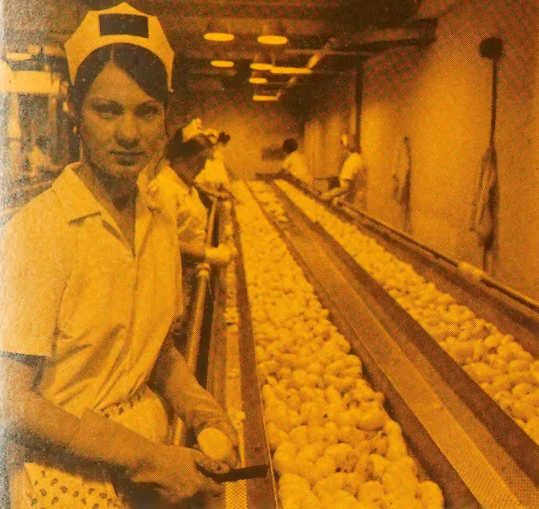
Although the federal jurisdiction covers only a small percentage of the labour force, it applies to an extremely vital sector of the economy. And frequently the provinces follow the federal lead in labour legislation.

JURISDICTION

The Department's direct concern is with enterprises within the federal jurisdiction.

This jurisdiction covers:

- **Interprovincial and international**
 - railways
 - highway transport
 - telephone, telegraph and cable systems
 - pipelines
 - canals
 - ferries, tunnels and bridges
 - shipping and shipping services
- **Radio and television broadcasting, including cablevision**
- **Air transport, and aerodromes**
- **Banks**
- **Grain elevators**
- **Flour and feed mills, feed warehouses and grain seed cleaning plants**
- **Certain Crown corporations**
Generally speaking, all other enterprises fall within provincial or territorial jurisdiction.



Federal Labour Legislation

Today, federal labour legislation covers principally labour standards, human rights, industrial safety and health, and the collective bargaining process.

The latter has come under considerable criticism in recent years as the number of strikes climbed and the total of man-days lost set an unenviable record. As issues at the bargaining table become more complex, their resolution becomes more difficult. Issues such as job satisfaction, improved working conditions, job security, equal opportunities have supplemented the traditional bread-and-butter issues. Not that pay is not still a primary issue: inflation in the seventies has eroded purchasing power, and

workers demand sizable wage boosts to compensate. The need to break this inflationary cycle brought on wage and price controls, which gave birth to a day of protest. Despite the fact that the controls did have some success in reducing the rate of inflation and thus slightly increasing real purchasing power, it was evident that further initiatives were needed to improve the performance of Canada's industrial relations system. The Canada Department of Labour, Labour Canada, responded to the challenge (see page 7).

In mid-1974 the Department had begun an analysis and assessment of its strengths and weaknesses, which examination led to a major reorganization, accompanied by decentralization.



An Improved Federal Labour Department

The reorganized Department has formulated a program with three basic aims:

- improve the work environment;
- improve the collective bargaining process; and
- improve the structure and process of labour-management relations.

The program is founded on two fundamental premises:

- that labour relations bring together not only economic units but also human beings, with needs, aspirations and personal values; and
- that the most viable and publicly acceptable foundation on which to build the program is the collective bargaining system.

The Department works in partnership with all parties in labour affairs, as an impartial catalyst, helping to pinpoint and analyse issues and problems, to search for equitable solutions, new techniques.





Aims and Objectives

The Department's aims and objectives are stated in its newly defined role:

TO PROMOTE AND PROTECT:

- the rights of parties involved in the world of work;
 - a working environment conducive to physical and social well-being;
 - a fair return for efforts in the workplace;
- and in all cases ensure equitable access to employment opportunities.



Reorganization

Reorganization has resulted in a National Headquarters divided into seven main groups, the functions of which are shared with the field offices.

The seven groups are:

- Policy Co-ordination
- Federal Mediation and Conciliation Service
- Research and Program Development
- International and Provincial Relations
- Administrative Policy and Services
- Organization and Program Implementation
- Legal Services

The seven groups embrace fifteen branches:

- Mediation and Conciliation
- Program Planning and Technical Support
- Arbitration Services
- Labour Data
- Employment Relations
- Occupational Safety and Health
- Central Analytical Services
- Library and Information Services
- Security
- Personnel
- Operational Services
- Finance
- Data Processing
- Public Relations
- International and Provincial Relations



The Three Basic Aims

Labour Canada has developed a set of measures aimed at improving the system by which workers and employers relate to one another, and at raising the levels of standards, and services provided by the Department, to improve working conditions. Grouped under three basic aims, the measures make up the Department's new 14-point program. They are:

1. Improving the Work Environment

Canadian Centre for Occupational Health and Safety

There can be no lasting improvement in industrial relations so long as workers think that governments and employers don't care enough about their safety and health on the job. A Canadian Centre for Occupational Health and Safety has therefore been created to co-ordinate a broad range of necessary research and advisory services in this field.

Quality of Working Life Centre

The proposed Quality of Working Life Centre will concentrate its efforts on increased job satisfaction that will lead to improved effectiveness of the organization. As well as initiating its own experiments, the centre will concern itself with the results of European and other North American experiments in the humanization of work. It will provide a wide range of educational, technical and consulting services.

Expanded Advisory Services

Labour Canada is expanding its advisory services to labour and management, both within and beyond the federal jurisdiction. The expansion is being developed in full consultation with labour, management and the provinces.

Voluntary Code of Good Industrial Relations Practices

Employment standards legislation sets minimum levels — a "floor of protection" particularly important to workers not covered by collective agreements. To supplement the legislation, Labour Canada is developing a Code of good personnel and industrial relations practices that can be recommended to employers. One obvious benefit should be to reduce the divergence of views on industrial relations matters.



Alleged Unjust Dismissal

The Canada Labour Code has been amended to provide that any federal jurisdiction employee not subject to a collective agreement who has been dismissed may make a complaint in writing to an inspector if he considers his dismissal to be unjust. This is an extension to unorganized employees of a right enjoyed by employees who have a bargaining relationship.

Revised Labour Standards

The Department is planning to update a number of labour standards, notably provisions covering hours of work and paid annual leave, and is giving consideration to proposals on flexible hours of work, sick leave, bereavement leave, reporting pay, and layoff and recall procedures.

Paid Educational Leave

A fact-finding study is planned of Paid Educational Leave practices in Canada and other countries to assess what impact such leave would have on job opportunities and employment generally.

Pensions and Retirement

An interdepartmental committee is studying both private and public pension plans and their adequacy of coverage and benefits, and the Department will assess the possibility of setting, under the Canada Labour Code, certain standards for pensions.

2. Improving the Collective Bargaining Process

The Department is promoting broader-based collective bargaining in key public services as one way to avoid harmful sequential shutdowns and a way to increase public confidence in the industrial relations system, and as an example to the private sector.

Canada Labour Code Amendments

On April 7, 1978, Parliament amended the Canada Labour Code. With the aim of improving the collective bargaining system, Part V (Industrial Relations) was amended to better the balance of responsibility among government, labour and management, and to enhance the system's capacity to make speedy and equitable decisions.



Training for Conciliators and Mediators

The Department has begun developing a national program to provide an adequate supply of qualified, properly trained conciliation and mediation officers.

3. Improving the Structure and Process of Labour-Management Relations

Collective Bargaining Information Centre

In late 1977 the Department set up a Planning Unit for a Collective Bargaining Information Centre to which all parties can turn for timely, accurate and pertinent information for collective bargaining purposes. The belief is that provision of comprehensive, up-to-date information can substantially improve the attitudes of the

parties, and make them more aware of what the economy is capable of sustaining. The intention is that the Centre be headed by a management board representing labour, management and government.

Labour Education

Labour Canada in June 1977 implemented a program of financial support for the education of individual workers, labour leaders, potential labour leaders and for labour and educational organizations. The program will allow these persons to acquire a more comprehensive knowledge and understanding of the structures, goals, policies and responsibilities of the labour movement in the Canadian socio-economic context. In the next five years, support will total more than \$11 million.

Joint Safety and Health Committees

The April 1978 amendments to the Canada Labour Code included one to Part IV (Safety of Employees) that permits the Minister, where he believes conditions warrant it, to establish a safety and health committee, at least half of whose members must be non-managerial employees selected by such employees or, if there is one, by a union representing them. The establishment of committees on a plant-by-plant basis would provide a means for sharing between labour and management the responsibility for health and safety (and, possibly, for other subjects later).



National Multipartite Consultative and Information Forum

Development of a multipartite forum for consultation and exchange of information about broad social issues has become essential. The forum, bringing together representatives of government, labour, business, the farm community, consumers and perhaps other groups, would not be a decision-making body, but would provide:

- an opportunity for full exchange of views on topics of major significance to Canada's socio-economic future;
- wider appreciation and understanding of, and responsibility for those factors that ought to be considered when making decisions affecting major segments of Canadian society.
- an “umbrella” for more detailed consultation in sub groups created to examine specific problems in, for example, labour affairs, housing, employment, energy, productivity and so forth.



Acts Administered by Labour Canada

The Canada Labour Code (chapter L-1, R.S.C. 1970):

Part III — Labour Standards

Part IV — Safety and Health

Part V — Industrial Relations

Department of Labour Act (chapter L-2, R.S.C. 1970)

Fair Wages and Hours of Labour Act (chapter L-3, R.S.C. 1970)

Government Employees Compensation Act (chapter G-8, R.S.C. 1970)

Merchant Seamen Compensation Act (chapter M-11, R.S.C. 1970, as amended by R.S.C. 1970, chapter 19, (2nd Suppl.))



Decentralization

Labour Canada has been decentralized into five regions. Decentralization has made departmental programs and policies more relevant to those participating in the world of work. Regionalization has meant that the Department's services are more immediately accessible to those who need them.

The regions, in general, have primary responsibility for the delivery of departmental programs but are required to

make strong inputs into Headquarters regarding research and policy development, program design and evaluation.

The five regions are:

ATLANTIC REGION: Incorporates the three Maritime provinces and Newfoundland. Headquarters: Moncton.

ST. LAWRENCE REGION: All of Quebec. Headquarters: Montreal.

GREAT LAKES REGION: The greater part of Ontario. Headquarters: Toronto.

CENTRAL REGION: Incorporates Saskatchewan, Manitoba and Northwestern Ontario. Headquarters: Winnipeg.

MOUNTAIN REGION: Incorporates British Columbia, Alberta, the Yukon and the Northwest Territories. Headquarters: Vancouver.



Addresses

NATIONAL HEADQUARTERS

LABOUR CANADA,
OTTAWA, ONTARIO
K1A 0J2

Regional Offices

ATLANTIC REGION

Labour Canada,
Atlantic Regional Office,
100 Arden Street,
Moncton, N.B.
E1C 4B7

Labour Canada,
Newfoundland District Office,
Duckworth Street,
P.O. Box 5278,
St. John's, Nfld.
A1C 5W1

Labour Canada,
Nova Scotia District Office,
5670 Spring Garden Road,
Halifax, N.S.
B3J 1H6

Labour Canada,
New Brunswick/
P.E.I. District Office,
633 Queen Street,
P.O. Box 1267,
Fredericton, N.B.
E3B 5C8

Labour Canada,
Mine Safety Office,
500 Kings Road,
Sydney, N.S.
B1S 1B1

ST. LAWRENCE REGION

Labour Canada,
St. Lawrence Regional Office,
Port of Montreal Building,
3rd Wing, 2nd Floor,
Cité du Havre,
Montréal, Qué.
H3C 3R5

GREAT LAKES REGION

Labour Canada,
Great Lakes Regional
Office,
74 Victoria Street,
Toronto, Ontario
M5C 2A5

Labour Canada,
457 Richmond Street,
London, Ontario
N6A 3E3

Labour Canada,
Billings Bridge Plaza,
2323 Riverside Drive,
11th Floor,
Ottawa, Ont.
K1A 0L5

Labour Canada,
101 Worthington Street, E.
North Bay, Ont.
P1B 1G5

CENTRAL REGION

Labour Canada,
Central Regional Office,
400 - 303 Main Street,
Winnipeg, Man.
R3C 3G7

Labour Canada,
Regina District Office,
2101 Scarth St.,
Regina, Sask.
S4P 2H9

Labour Canada,
Saskatoon District Office,
Room 313,
1st Avenue & 22nd Street,
Saskatoon, Sask.
S7K 0E1

MOUNTAIN REGION

Labour Canada,
Mountain Regional Office,
750 Cambie St. - 7th Floor,
Vancouver, B.C.
V6B 2P2

Labour Canada,
Alberta District Office,
10220 - 107th Street,
Edmonton, Alta.
T5J 1J7

Labour Canada,
Room 403,
134-11th Avenue S.E.,
Calgary, Alta.
T2G 0X5

Plan of Organization

